



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

August 16, 2017
Certified Mail/Return
7012 3460 0003 1112 8892

Butte City CSD
P.O. Box 124
Butte City, CA 95920

Attention: Jesus Campos, Board President

Subject: Public Water System No. 1100711 – Citation No. 21-17C-028 for Incomplete Repeat Bacteriological Samples.

It has come to our attention that the Butte City CSD water system failed to collect the required four repeat bacteriological samples following a positive routine sample in the distribution system. Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Section 64424.

Please review the enclosed Citation and note directives for corrective action and public notification.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Board within 30 days of the issuance of the order or decision. The date of issuance is the date when the Division mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. See attached Applicable Authorities for relevant statutory provisions for filing a petition.

For more Information regarding filing petitions, visit the following website:
http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

1 **Citation No. 21-17C-028**

2
3 **STATE OF CALIFORNIA**
4 **WATER RESOURCES CONTROL BOARD**
5 **DIVISION OF DRINKING WATER**
6

7 **Public Water System:** Butte City CSD

8 **Water System No.:** 1100711
9

10 **To:** Butte City CSD
11 Attn: Jesus Campos, President
12 P.O. Box 124
13 Butte City, CA 95920
14

15 **Issued:** August 16, 2017
16 VIA CERTIFIED MAIL
17

18 **CITATION FOR NONCOMPLIANCE**
19 **With Title 22, California Code of Regulations**
20 **Section 64424**
21

22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
23 issuance of a citation for failure to comply with a requirement of the California Safe
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.
26

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues a citation to Butte City CSD for failure to comply with
4 Section 64423(a), Title 22, of the California Code of Regulations (CCR).

6 **APPLICABLE AUTHORITIES**

7 See Attachment A for Applicable Authorities

9 **STATEMENT OF FACTS**

10 The Butte City CSD (System) is classified as a community water system and is
11 required to collect one routine bacteriological water sample each month. In the event
12 that a routine bacteriological sample is positive for total coliform, the Water System is
13 required to collect four repeat samples. On July 28, 2017, the System collected a
14 routine bacteriological sample that indicated the presence of total coliform bacteria. In
15 response to the coliform positive sample, the System only collected one repeat
16 sample instead of four samples on July 31, 2017.

17
18 Furthermore, Directive No.1 of Citation 21-16C-020, issued August 23, 2016, required
19 an update to the bacteriological sample siting plan (BSSP) to reflect where routine
20 and repeat bacteriological samples were to be collected within the distribution system.
21 This update was to be submitted to the Division by September 30, 2016. As of the
22 date of this citation, the Division has not received an updated BSSP.

24 **DETERMINATION**

25 The Division has determined that the Water System violated the following:

- 1 • Section 64424(a)(1), Title 22, of the CCR, in that the System did not collect
- 2 four repeat samples following a positive total coliform routine sample in July of
- 3 2017.
- 4 • Section 64422(c), Title 22, of the CCR and Section 116650 of the CHSC, in
- 5 that the System failed to maintain an updated BSSP, and to follow a Citation
- 6 directive to update the BSSP by September 30, 2016.

8 DIRECTIVES

9 The Water System is directed to take the following actions:

- 11 1. **Within 30 days** of the issuance of this Citation, provide public notification in
- 12 accordance with **Attachment B**, to all persons served by the System of the
- 13 violations noted above; as required by Section 64463.4(c) and Section 64465,
- 14 Title 22, of the CCR. Notification shall be completed in accordance with each of
- 15 the following:
 - 17 a. Mail or direct delivery to each customer.
 - 18 b. Notification by one or more methods for customers not reached by mail
 - 19 or direct delivery.
- 21 2. Changes and/or modifications to **Attachment B** shall be not be made unless
- 22 approved by the Division.
- 24 3. Complete and return **Attachment C**, "Certification of Completion of Public
- 25 Notification" form **within 10 days** of giving public notice. A copy of the notice
- 26 used to provide public notification shall be attached to the form.



- 1 4. By **September 10, 2017**, and every month thereafter, submit to the Division by
2 the 10th day of every month, a chlorine monitoring report. Use **Attachment D**
3 as a template, or pre-approved equivalent.
4
- 5 5. By **September 1, 2017**, submit to the Division a completed copy of the
6 attached bacteriological sample siting plan (BSSP) (**Attachment E**), along with
7 a map indicating all sample locations.
8
- 9 6. Collect and report five (5) routine bacteriological samples in the distribution
10 system in the month of **August 2017**. The samples shall be collected from
11 certified operator approved sites and shall be collected over the course of three
12 separate non-consecutive days.
13

14 The Division reserves the right to make such modifications to this Citation as it may
15 deem necessary to protect public health and safety. Such modifications may be
16 issued as amendments to this Citation, and shall be deemed effective upon issuance.
17

18 Nothing in this Citation relieves the Water System of its obligation to meet the
19 requirements of the California Safe Drinking Water Act, or of any regulation, permit,
20 standard, or order issued or adopted thereunder.
21

22 All submittals required by this Citation shall be submitted to the Division at the
23 following address:
24

25 Reese B. Crenshaw, P. E.
26 Valley District Engineer
27 State Water Resources Control Board

1 Division of Drinking Water
2 364 Knollcrest Dr. Suite 101
3 Redding, CA 96002
4

5 **PARTIES BOUND**

6 This Citation shall apply to and be binding upon the Water System, its officers,
7 directors, shareholders, agents, employees, contractors, successors, and assignees.
8

9 **SEVERABILITY**

10 The Directives of this Citation are severable, and the Water System shall comply with
11 each and every provision thereof, notwithstanding the effectiveness of any other
12 provision.
13

14 **FURTHER ENFORCEMENT ACTION**

15 The California SDWA authorizes the Division to: issue citation with assessment of
16 administrative penalties to a public water system for violation or continued violation of
17 the requirements of the California SDWA or any permit, regulation, permit or order
18 issued or adopted thereunder including, but not limited to, failure to correct a violation
19 identified in a citation or compliance order. The California SDWA also authorizes the
20 Division to take action to suspend or revoke a permit that has been issued to a public
21 water system if the system has violated applicable law or regulations or has failed to
22 comply with an order of the Division; and to petition the superior court to take various
23 enforcement measures against a public water system that has failed to comply with
24 violates an order of the Division. The Division does not waive any further enforcement
25 action by issuance of this citation.
26
27

1

2

3

4

8/15/17

5

Date

6

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11

Attachments:

12

Attachment A - Applicable Authorities

13

Attachment B - Public Notification Form

14

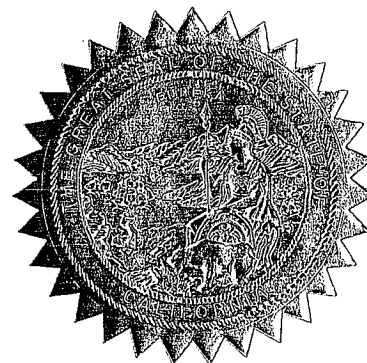
Attachment C - Proof of Notification Form

15

Attachment D - Monthly Chlorination Log Template

16

Attachment E - Bacteriological Sample Siting Plan Template



ATTACHMENT A

APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

- (a) If the Department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.*
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.*
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.*
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).*
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.*

Section 116701 of the CHSC states in relevant part:

Petitions to Orders and Decisions

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.*
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.*
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.*
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.*

ATTACHMENT A

- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.*
- (f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.*

Section 64426.1(b), Title 22, of the CCR states in relevant part:

- (b) A public water system is in violation of the total coliform maximum contaminant level (MCL) when any of the following occurs:*
 - (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or*
 - (2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or*
 - (3) Any repeat sample is fecal coliform-positive or E. coli-positive;*
or,
 - (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.*

Section 64424(a)(1), Title 22, of the CCR states in relevant part:

- (1) For a water supplier that normally collects one or fewer routine samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.*

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

**BUTTE CITY CSD DID NOT TO COLLECT ALL
CONFIRMATION BACTERIOLOGICAL SAMPLES FOR THE
MONTH OF JULY 2017**

Our water system recently violated a monitoring requirement. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

What should you do?

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened? What was done?

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the month of July 2017, we did not complete all bacteriological monitoring or testing and therefore, could not be sure of the quality of your drinking water during that time.

More specifically, as required by state and federal regulations, we failed to collect all repeat (confirmation) samples in July of 2017 as a result of testing positive for total coliform bacteria from a routine sample taken in the distribution system on July 28, 2017. Both regulations require that public water systems notify their customers for monitoring violations.

We will be addressing these missed samples by taking 5 samples in August 2017.

Furthermore we have not submitted an approved bacteriological sample siting plan as directed by a citation issued in August of 2016.

For more information, please contact Jesus at (909) 720-7661.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.

State Water System ID#: 1100711.

Date distributed: _____.

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the State Water Resources Control Board. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name Butte City CSD

Public Water System No. 1100711

Public notification for the July 2017 bacteriological monitoring failure was performed by the following method(s):

Check and Complete

a) Mail or direct delivery to each customer. Date Delivered: _____

AND

b) _____ Distributing notice by using one or more of the following methods to reach persons not likely to be reached by public posting: Posting in conspicuous locations, email, website, publication in local newspaper, etc.).
Date & Location(s) Posted:

I hereby certify that the above information is factual.

Printed Name _____

Signature

Date _____

Monthly Chlorination Log

WATER SYSTEM

Month

Year

	Date	Production Meter Reading	Water Produced (gal.)	CL2 Solution tank level	Trade % of Cl ₂	Gal. of sol. Made with 1 gal of Cl ₂		pH
	Previous week 4 reading.				12.5	25		
			Previous week 4 reading		CL ₂ Solution Used (gal.)	CL ₂ Dosage (mg/L)	CL ₂ Residual	
Week 1								
Week 2								
Week 3								
Week 4								
	Total Monthly Production			Total CL ₂ used				

Hand calculations for weekly CL₂ dosage (Leave blank if using spreadsheet formula:

Date	Dosage Calculation	Dosage (mg/L)
Week 1	$\frac{9991 \times (\quad) \times (\quad)}{(\quad) \times (\quad)}$	
Week 2	$\frac{9991 \times (\quad) \times (\quad)}{(\quad) \times (\quad)}$	
Week 3	$\frac{9991 \times (\quad) \times (\quad)}{(\quad) \times (\quad)}$	
Week 4	$\frac{9991 \times (\quad) \times (\quad)}{(\quad) \times (\quad)}$	

Dosage Calc. Explanation	
Dos. =	$\frac{9991 \times (A) \times (B)}{(C) \times (D)}$
A = Amount of CL ₂ solution used (gal.) B = Trade percent of available chlorine C = Quantity of water produced D = Gallons of solution made with 1 gal of hypochlorite.	

Maintenance / Repairs done:

Operator Signature:

Date:

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION**State Water Resources Control Board**

Division of Drinking Water

BACTERIOLOGICAL SAMPLE SITING PLAN**System Information:**

Name of Utility: _____ System Number: _____
 Street Address: _____ Ph. No. _____
 Mailing Address: _____ Fax: _____
 Service Connections: _____ Population Served: _____ Sampling Frequency: _____

Sample Collection:

All water samples will be collected by: _____
 Name of Laboratory: _____
 Mailing Address: _____
 State Lab Code: _____ Phone #: _____ Fax #: _____
 The Laboratory was sent a copy of this plan on: _____

Raw Water Sampling:

Is water continuously treated with chlorine? ☐ YES ☐ NO
 Systems which provide continuous chlorine treatment are required to take samples of water prior to the addition of chlorine (raw water samples) on a quarterly basis. Please list below the sources which are continuously treated and the months when raw water samples will be taken:

1. _____ Months sampled: _____
2. _____ Months sampled: _____

Map of System:

A map of the distribution system showing the source (well, spring, etc.), storage tanks, treatment facilities, distribution piping, routine sample locations, and follow-up (repeat) sample locations is required. Have you enclosed this map? ☐ YES ☐ NO

Ground Water Rule (GWR) sampling: According to the Ground Water Rule (GWR), within 24 hours of notification of a total coliform-positive routine sample, the water system will collect at least one ground water source sample from each ground water source in use at the time the total coliform-positive routine sample was collected. Each GWR sample must be tested for E. Coli, and the well must be running when the sample is collected.

Five samples the month following a routine-positive result: Unless waived by the Department, five routine samples will be collected the month following a routine-positive result. The five routine samples will be collected using a combination of two routine sample locations and three repeat locations.

BACTERIOLOGICAL SAMPLE SITING PLAN (cont.)

Sample Locations:

The following describes each routine sample location, what months the location will be sampled, and where follow-up (repeat) samples will be taken in the event of a "positive" routine sample:

Routine Sample Location:

1. _____
(location name or address)

Water samples will be collected from this location during the months of (circle):

1 st Qtr:	Jan.	Feb.	Mar.
2 nd Qtr:	Apr.	May	Jun.
3 rd Qtr:	July	Aug.	Sept.
4 th Qtr:	Oct.	Nov.	Dec.

Description: _____
(hose bib, sink faucet, etc.)

Follow-up (repeat) Sample Location:

1. _____
(routine sample location name or address)

2. _____
(location name or address up-stream)

3. _____
(location name or address down-stream)

4. _____
(source)

Routine Sample Location: (if required)

2. _____
(location name or address)

Water samples will be collected from this location during the months of (circle):

1 st Qtr:	Jan.	Feb.	Mar.
2 nd Qtr:	Apr.	May	Jun.
3 rd Qtr:	July	Aug.	Sept.
4 th Qtr:	Oct.	Nov.	Dec.

Description: _____
(hose bib, sink faucet, etc.)

Follow-up (repeat) Sample Location:

1. _____
(routine sample location name or address)

2. _____
(location name or address up-stream)

3. _____
(location name or address down-stream)

4. _____
(source)

Routine Sample Location: (if required)

3. _____
(location name or address)

Water samples will be collected from this location during the months of (circle):

1 st Qtr:	Jan.	Feb.	Mar.
2 nd Qtr:	Apr.	May	Jun.
3 rd Qtr:	July	Aug.	Sept.
4 th Qtr:	Oct.	Nov.	Dec.

Description: _____
(hose bib, sink faucet, etc.)

Follow-up (repeat) Sample Location:

1. _____
(routine sample location name or address)

2. _____
(location name or address up-stream)

3. _____
(location name or address down-stream)

4. _____
(source)

Report Prepared by: _____

Signature and Title: _____ **Date:** _____